



U.S. Department of Justice

Criminal Division

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VIA CM/ECF

The Honorable Kiyo A. Matsumoto
United States District Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: United States v. Donville Inniss
Criminal Docket No. 18-134 (KAM)

Dear Judge Matsumoto:

The government respectfully submits this letter-motion to request an extension of time to October 5, 2023, to file its opposition to defendant's motion to vacate his sentence pursuant to 28 U.S.C. § 2255. See Dkt. No. 154. Government counsel has not conferred with the defendant regarding this motion because the defendant is proceeding pro se. This is the government's first request for an extension of time to file its opposition.

On February 13, 2023, the defendant filed a motion pro se pursuant to 28 U.S.C. § 2255, based on claims of ineffective assistance of trial counsel. Id. The same day, the defendant also filed a motion for extension of time to file a memorandum in support of his motion to vacate. Dkt. No. 155.

On February 21, 2023, the Court ordered the government and Mr. Inniss' trial counsel to respond to the motion to vacate by March 28, 2023. Eight days later, on March 1, 2023, the Court granted the defendant's request for additional time to file a memorandum in support of his motion, ordering the defendant to file the supporting brief on or before September 5, 2023. The Court did not reset the government and trial counsel's deadline to respond to the motion to vacate.

The government therefore respectfully requests that the Court reset the deadline to respond to the motion to vacate to October 5, 2023, to ensure that the government is able to respond to the specific arguments that the defendant will make in his September 5, 2023 submission.

Respectfully Submitted,

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Chief, Fraud Section

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